

1 ORRY P. KORB, County Counsel (S.B. #114399)
MELISSA R. KINIYALOGTS, Deputy County Counsel (S.B. #215814)
2 OFFICE OF THE COUNTY COUNSEL
70 West Hedding Street, East Wing, Ninth Floor
3 San Jose, California 95110-1770
Telephone: (408) 299-5900
4 Facsimile: (408) 292-7240

5 Attorneys for Defendants
SHERIFF LAURIE SMITH and
6 COUNTY OF SANTA CLARA

7
8 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 (San Francisco)

10
11 TOM SCOCCA, MADISON SOCIETY, INC.,
and THE CALGUNS FOUNDATION, INC.,

12 Plaintiffs,

13 v.

14 SHERIFF LAURIE SMITH (In her individual
and official capacity.), COUNTY OF SANTA
15 CLARA, and DOES 1 to 20,

16 Defendants.
17

No. CV11-01318 EMC

**STIPULATION AND ORDER
CONTINUING MARCH 3, 2016 CASE
MANAGEMENT CONFERENCE**

18 The parties, by and through their counsel of record, hereby stipulate as follows:

19 1. On January 14, 2013, the Court issued an order staying this case until the Ninth Circuit
20 rules on *Peruta v. County of San Diego*, Case No.: 10-56971 and *Richards v. Prieto (Yolo County)*,
21 Case No.: 11-16255. The Court previously continued case management conferences in this action
22 on the grounds that *Richards* and *Peruta* were still pending.

23 2. The Ninth Circuit held oral argument in *Peruta* and *Richards* en banc, on June 16,
24 2015, but has not yet issued a decision.

25 3. The parties agree that the March 3, 2016 Case Management Conference should be
26 continued while the Ninth Circuit considers *en banc* review in *Peruta* and *Richards*.

27 //

28 //

1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 “conformed” signature (/S/) within this efiled document.

3 ORRY P. KORB
4 COUNTY COUNSEL

5 Dated: February 19, 2016

By: /S/
6 MELISSA R. KINIYALOCKS
Deputy County Counsel

7 Attorneys for Defendants
8 SHERIFF LAURIE SMITH and
COUNTY OF SANTA CLARA

9
10 LAW OFFICES OF DONALD KILMER

11
12 Dated: February 19, 2016

By: /S/
13 DONALD E.J. KILMER, JR.
14 Attorneys for Plaintiffs

15
16 **ORDER**

17 The March 3, 2016 Case Management Conference is continued to _____.
18 Plaintiffs are directed to file notice with this Court within 5 court-days of the Ninth Circuit issuing
19 its final disposition in *Peruta v. County of San Diego*, Case No.: 10-56971 and *Richards v. Prieto*
20 (*Yolo County*), Case No.: 11-16255.

21 _____
22 EDWARD M. CHEN
United States District Court Judge